

REMARKS

By this amendment, applicants have amended claims 1, 4-6, 9-11, and 14, canceled claims 19-28, and added new claims 29-37. Reconsideration and allowance are respectfully requested.

Claims 5 and 6 were rejected under Section 112, second paragraph, as being indefinite because of the use of the term "can be." Applicants are amending claim 5 to say that the barriers are "manually rotatable."

The examiner indicated that claims 3, 5, and 6 were allowable if rewritten in independent form. Applicants have rewritten claim 3 in independent form as claim 29, albeit without intervening claim 2, and have rewritten claim 5 in independent form with the substance of claim 4 incorporated into new claim 33. In each case, other changes have been made to the claims, but should not affect the allowability.

The examiner restricted the claims to apparatus or method claims; applicants have elected the apparatus claims, and method claims 19-20 are being canceled. The examiner further made a species restriction between species of (1) Figs. 2-4 and 6, and (2) Fig. 7. Applicants have amended claim 1 in a manner that is believed to be generic to both embodiments and have amended withdrawn claims 11 and 14 provisionally based on that amendment. If claim 1 is allowable, these claims should be considered.


The examiner rejected claims 1, 2, 4, 9, and 10 as being anticipated by Karabedian; and claims 7 and 8 as being unpatentable under Section 103(a) over Karabedian on the ground that providing one or two sets of lips would have been obvious.

With respect to independent claim 1, the claim has been amended to state that the plurality of barriers are "movable along a direction perpendicular to the annular region for altering the flow of air through the annular region." This movement perpendicular to the annular region is generic to the screws in claim 4, pistons in claim 6, and the blocks in claim 7. Karabedian does not teach or suggest using a barrier that is moved perpendicular to the annular region, and therefore cannot anticipate. There is also no motivation shown in the prior art, and hence it would not have been obvious.

All claims should now be in condition for allowance, and according a notice of allowance is respectfully requested. In addition, applicants request that withdrawn claims 11-18, which are now all dependent on claim 1, be considered and allowed.

Please charge any fee due in connection with this matter to our deposit account 08-0219, and consider this a request for a one-month extension and any additional extension that may be required.

Respectfully submitted,



Michael A. Diener
Reg. No. 37,122
Hale and Dorr LLP
60 State Street
Boston, MA 02109
Tel: (617) 526-6454

November 3, 2003
Attorney Docket No. 102173.130 (ADX-4)